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Human Rights Council
Thirty-sixth session
11–29 September 2017
Agenda item 9

Resolution adopted by the Human Rights Council on 29 September 2017

36/24. From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

The Human Rights Council,

Recalling all its previous resolutions on the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action,

Recalling also the General Assembly resolutions in this regard, and the imperative need for their full and effective implementation,

Emphasizing the primacy of the International Convention on the Elimination of All Forms of Racial Discrimination as a principal international instrument to combat all the scourges of racism, and in this regard noting with concern that the commitment made at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to achieve universal ratification of this primary instrument by 2005 was regrettably not fulfilled, and underlining the imperative need to elaborate complementary international standards as instructed by paragraph 199 of the Durban Declaration and Programme of Action,

Concerned that many years have lapsed since the adoption of the Durban Declaration and Programme of Action, and regretting in this regard that its objectives have not been met,

Concerned also, in the above context, at the increasing incidents of racially motivated hatred in all its forms and manifestations, some of which have taken violent forms with concomitant racial profiling,

Underlining the importance of removing legal obstacles and eliminating discriminatory practices that hamper individuals and groups, in particular people of African descent, from participating fully in the public and political life of the countries in which they live, including the lack of the exercise of their full citizenship rights,

Noting with appreciation the annual observance in Geneva of the International Day of Remembrance of the Victims of Transatlantic Slavery and the Slave Trade, and the support expressed at its commemoration in 2017 for the establishment at the United Nations Office at Geneva of a memorial to the victims of slavery and the transatlantic slave trade,

1. *Underscores* the importance of political will and commitment to eliminate all forms of racism, racial discrimination, xenophobia and related intolerance;

2. *Underlines* the imperative need for the full and effective implementation of the Durban Declaration and Programme of Action as the only instructive outcome document of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance for the combating of all the scourges of racism, including its contemporary and resurgent forms, some of which have regrettably taken violent forms;

3. *Alarmed* at the resurgent violent manifestations of racism, racial discrimination, xenophobia and related intolerance precipitated by scientifically false, morally condemnable, socially unjust and dangerous ideologies, such as white supremacy, as well as by extremist nationalist and populist ideologies, and underlines in this respect that human beings are born free and equal in dignity and rights and that everyone has the right to life, liberty and security of person;

4. *Encourages* States to make the requisite declaration in accordance with article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination recognizing the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within their jurisdiction under its complaints procedure;

5. *Welcomes* paragraph 5 of General Assembly resolution 71/181 of 19 December 2016, and to this end directs the Ad Hoc Committee on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination to commence, at its tenth session, its elaboration of a draft additional protocol to the Convention criminalizing acts of a racist and xenophobic nature;

6. *Deplores* the ongoing use of social media platforms to incite hatred and violence against migrants, refugees and asylum seekers, and calls upon States to prohibit by law any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, including that propagated by information and communications technology;

7. *Reiterates* that the rights to freedom of expression, association and peaceful assembly should not be exercised with the aim of destroying or denying the rights and freedoms of others, and not be misused to promote racist hate speech and racist crimes;

8. *Calls upon* all States that have not yet done so, and consistent with paragraph 75 of the Durban Declaration and Programme of Action, to consider withdrawing their reservations on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination and on articles 18, 19 and 20 of the International Covenant on Civil and Political Rights;

9. *Welcomes* the convening of regional meetings organized by the Office of the United Nations High Commissioner for Human Rights to effectively implement the programme of activities of the International Decade for People of African Descent, encourages Member States and other stakeholders to adopt action-orientated recommendations at these meetings, and calls upon States, regional organizations and other stakeholders to facilitate the participation of civil society from their respective countries and regions in the meetings;

10. *Requests* the United Nations High Commissioner for Human Rights, in his capacity as coordinator of the Decade, to submit an oral update on his activities in follow-up to the implementation of the programme of activities within the framework of the Decade to the Human Rights Council at its thirty-ninth session;

11. *Welcomes* the intention of the African Union to convene a consultative group for the project to establish at the United Nations Office at Geneva a memorial to the victims of slavery and the transatlantic slave trade, and invites Member States and all other actors to lend their support to the initiative;

12. *Requests* the High Commissioner to prioritize the issue of preventing and combating racism, racial discrimination, xenophobia and related intolerance in the work of the Office of the High Commissioner;

13. *Decides* to remain seized of this important issue.

42nd meeting
29 September 2017

[Adopted by a recorded vote of 32 to 5, with 10 abstentions. The voting was as follows:

In favour:

Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, Burundi, China, Congo, Côte d'Ivoire, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Ghana, India, Indonesia, Iraq, Kenya, Kyrgyzstan, Mongolia, Nigeria, Panama, Paraguay, Philippines, Qatar, Rwanda, Saudi Arabia, South Africa, Togo, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of)

Against:

Albania, Germany, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Belgium, Croatia, Georgia, Hungary, Japan, Latvia, Netherlands, Portugal, Republic of Korea, Slovenia]